

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BROKER GENIUS INC.,

*Plaintiff,*

v.

NRZ ENTERTAINMENT LLC  
NATHAN ZALTA  
MICHAEL SHAMAH  
GONTHAM, LLC  
JOSEPH BASSIL

*Defendants.*

Civil Action No. 1:17-cv-02099-SHS

**BROKER GENIUS' REVISED WITNESS AND EXHIBIT LIST**

Broker Genius Inc., Plaintiff, by and through their undersigned counsel and pursuant to the Court's order from May 17, 2017 (Dkt. 42), hereby provides its list of proposed exhibits for the June 14, 2017 hearing at 9:30 am. Plaintiff reserves the right to supplement this list as necessary.

**WITNESSES**

The witnesses are expected to testify as to the identified topics below but Plaintiff reserves the right to examine any witness on additional topics if necessary.

1. **Shmuel "Sam" Sherman** – history of Broker Genius Company, development of AutoPricerv3, company policies and efforts to protect Trade Secrets and keep them confidential, effect of TickPricer on the market and the harm to Broker Genius caused by NRZ introducing TickPricer
2. **Zachary Ellman** – sales and sales practices at Broker Genius, effect of TickPricer on AutoPricer sales since TickPricer entered the market

3. **Eric Koskinen, PhD** – Expert testimony on Broker Genius trade secrets and their misappropriation by defendants and Broker Genius’ protection of the trade secrets and all the opinions disclosed in his expert reports.
4. **Nathan Zalta** – NRZ’s interactions with Broker Genius, NRZ’s misappropriation of Broker Genius’ trade secrets, development of TickPricer and NRZ’s sale of TickPricer and attendant services
5. **Michael Shamah** - NRZ’s interactions with Broker Genius, NRZ’s misappropriation of Broker Genius’ trade secrets, development of TickPricer and NRZ’s sale of TickPricer and attendant services
6. **Joseph Bassil** – development of TickPricer and misappropriation of NRZ trade secrets.
7. **Stephen Gray** – the opinions disclosed in his experts reports.
8. Any witness Defendants may call not named above.

## **EXHIBITS**

- 1 NRZ\_002749 (E. Nissim Ex. 1)
- 2 NRZ\_002750 (E. Nissim Ex. 2)
- 3 NRZ\_002943 - NRZ\_002944 (E. Nissim Ex. 3)
- 4 NRZ\_003001 - NRZ\_003003 (E. Nissim Ex. 4)
- 5 NRZ\_002753 (E. Nissim Ex. 5)
- 6 NRZ\_00037 - NRZ\_00046 (E. Nissim Ex. 6)
- 7 BG00000605 (E. Nissim Ex. 7; A. Zalta Ex. 9)
- 8 NRZ\_00025 - NRZ\_00032 (M. Shamah Ex.1)
- 9 NRZ\_000100 - NRZ\_000108 (M. Shamah Ex. 2; N. Zalta Ex. 6; J. Bassil Ex. 6)
- 10 BG00002409- BG00002411 (M. Shamah Ex. 3)
- 11 BG00002460- BG00002461 (M. Shamah Ex.4)
- 12 BG00002517 (M. Shamah Ex. 5)
- 13 NRZ\_002980 (M. Shamah Ex. 6)
- 14 NRZ\_000036 (M. Shamah Ex. 7)
- 15 GONTH\_000129 (M. Shamah Ex. 8)
- 16 NRZ\_000132- NRZ\_000133 (M. Shamah Ex. 9)

17 NRZ\_000296- NRZ\_000297 (M. Shamah Ex. 10)  
18 BG00002523 (M. Shamah Ex. 11)  
19 BG00004651- BG00004655 (M. Shamah Ex. 12)  
20 NRZ\_000309- NRZ\_000312 (M. Shamah Ex. 13)  
21 NRZ\_0002765- NRZ\_0002766 (M. Shamah Ex. 14)  
22 NRZ\_000326- NRZ\_000329 (M. Shamah Ex. 15)  
23 NRZ\_000313- NRZ\_000317 (M. Shamah Ex. 16)  
24 NRZ\_000301- NRZ\_000305 (M. Shamah Ex. 17)  
25 NRZ\_000306- NRZ\_000308 (M. Shamah Ex. 18)  
26 NRZ\_000036 (N. Zalta Ex. 1)  
27 NRZ\_000313 - NRZ\_000317 (N. Zalta Ex. 2)  
28 BG00004651 - BG00004655 (N. Zalta Ex. 3)  
29 NRZ\_000274 - NRZ\_000275 (N. Zalta Ex. 5)  
30 NRZ\_000047 - NRZ\_000052 (N. Zalta Ex. 7; J. Bassil Ex. 5)  
31 NRZ\_000298 - NRZ\_000300 (N. Zalta Ex. 8; J. Bassil Ex. 8)  
32 BG00005244 - BG00005245 (N. Zalta Ex. 9; A. Zalta Ex. 5)  
33 NRZ\_000059 - NRZ\_000085 (N. Zalta Ex. 10; J. Bassil Ex. 7)  
34 GONTH\_000199 - GONTH\_000353 (J. Bassil Ex. 4)  
35 NRZ\_003093 (J. Bassil Ex. 9)  
36 NRZ\_000095 - NRZ\_000097 (J. Bassil Ex. 10; S. Gray Ex. 1)  
37 GONTH\_000042 - GONTH\_000043 (J. Bassil Ex. 11)  
38 NRZ\_007699 (J. Bassil Ex. 12)  
39 NRZ\_003092 (J. Bassil Ex. 13)  
40 GONTH\_000144 (J. Bassil Ex. 14)  
41 GONTH\_000190 (J. Bassil Ex. 15)  
42 NRZ\_008563 (A. Zalta Ex. 1)  
43 GONTH\_000677 (A. Zalta Ex. 2)  
44 NRZ\_004382 (A. Zalta Ex. 3)  
45 NRZ\_013862 - NRZ\_013967 (A. Zalta Ex. 4)  
46 NRZ\_003262 - NRZ\_003265 (A. Zalta Ex. 6)  
47 NRZ\_003314 (A. Zalta Ex. 7)

48 NRZ\_003389 (A. Zalta Ex. 8)  
49 NRZ\_000008 (A. Zalta Ex. 10)  
50 NRZ\_003272 (A. Zalta Ex. 11)  
51 NRZ\_013607 (A. Zalta Ex. 12)  
52 NRZ\_002758  
53 BG00000002  
54 BG00004823; BG00004824; BG00004838; BG00004841; BG00004861; BG00004906  
55 BG00004852; BG00002996; BG00002999  
56 BG00004784.01  
57 BG00003249  
58 BG00003413  
59 NRZ\_002813; NRZ\_002897; NRZ\_002808; NRZ\_002807; BG00002345; BG00004593;  
59 BG00002264; BG00002254; BG00002256; BG00002270; BG00002257  
60 BG00000622  
61 NRZ\_000116  
62 Expert Report - Dr. Eric Koskinen  
63 Rebuttal Report - Dr. Eric Koskinen  
64 Expert Report - Mr. Stephen Gray  
65 Rebuttal Report - Mr. Stephen Gray  
66 BG00004915-BG00004918; BG00004919-BG00004930; BG00005022;  
66 BG00005056-BG00005063  
67 BG00005056-BG00005063; BG00005088; BG00005089-BG00005092;  
67 BG00005054; BG00004763.09  
68 BG00004913-BG00004914; BG00004915-BG00004918; BG00004919-BG00004930  
69 BG00004770.12, BG00004782.04, BG00005147  
70 BG00004770.04, BG00004785.07, BG00004980, BG00005025  
71 BG00004770.03, BG00004770.11, BG00005005, BG00005147, BG00005200  
72 BG00004919; BG00005030, BG00005147, BG00005169, BG00005200  
73 BG00005147, BG00005200, BG00005054  
74 BG00004770.09, BG00005006, BG00005054  
75 BG00004770.07, BG00004770.08, BG00005054

76 BG00004770.06, BG00004770.10, BG00005004, BG00005012, BG00005028  
77 BG00005056-BG00005063; BG00005089-BG00005092; BG00005054; BG00004763.09  
78 BG00005056-BG00005063; BG00005089-BG00005092; BG00005054  
79 NRZ\_008804; NRZ\_008848; NRZ008906; NRZ\_008930; NRZ\_013674; NRZ\_013678;  
79 NRZ\_013778; NRZ\_003314; NRZ\_002951; NRZ\_002993; NRZ\_003021; NRZ\_003023;  
79 NRZ\_002749; NRZ\_002948; NRZ\_003025; NRZ\_002962; NRZ\_0013737; NRZ\_013753;  
79 NRZ\_013761; NRZ\_013763; NRZ\_002750; NRZ\_002754; NRZ\_002920; NRZ\_2925;  
79 NRZ\_002949; NRZ002961; NRZ\_002969; NRZ\_002971; NRZ\_002967; NRZ\_002963;  
79 NRZ\_002999; NRZ\_003016; NRZ\_003018; NRZ\_002916; NRZ\_002923; NRZ\_002926;  
79 NRZ\_003008; NRZ\_002987; NRZ\_002997; NRZ--003004; NRZ\_003011; NRZ\_003017;  
79 NRZ\_002753; NRZ\_003029; NRZ\_002942; NRZ\_002943; NRZ\_002946; NRZ\_002945;  
79 NRZ\_002950; NRZ-002952; NRZ-002958; NRZ-002960; NRZ\_002957; NRZ\_002956;  
79 NRZ\_002955; NRZ\_002986; NRZ-002989; NRZ-003007; NRZ-003019; NRZ\_002991;  
79 NRZ\_002975; NRZ\_002922; NRZ\_002940; NRZ-003020; NRZ\_002980; NRZ-002955;  
79 NRZ\_002994; NRZ\_002924; NRZ\_002954; NRZ\_002979; NRZ\_002977; NRZ\_003005;  
79 NRZ\_003006; NRZ\_003015; NRZ\_003022; NRZ-002919; NRZ-002985; NRZ\_002981;  
79 NRZ\_002982; NRZ\_002972; NRZ\_003001; NRZ-003024; NRZ\_002947; NRZ\_002973;  
79 NRZ\_003001; NRZ\_003027  
80 Nathan Zalta Deposition Transcript  
81 Michael Shamah Deposition Transcript  
82 Joseph Bassil Deposition Transcript  
83 Stephen Gray Deposition Transcript  
84 Shmuel "Sam" Sherman Deposition Transcript  
85 Zak Ellman Deposition Transcript  
86 Eric Koskinen Deposition Transcript  
87 BG004686; NRZ\_002905; BG00001421; BG00004734; BG00004682; BG0004694;  
87 BG00004698; BG00004701; BG00004703; BG00004705: NRZ000036  
88 BG00002708  
89 BG00002571  
90 Edward Nissim Deposition  
91. Any of the pleadings filed to date

92 All of Plaintiff's and Defendants' discovery responses

93 Any document Plaintiff intends to introduce at the hearing.

Dated: June 13, 2017.

PEARL COHEN ZEDEK LATZER BARATZ LLP

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Dated: June 13, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that on June 13, 2017 a copy of PLAINTIFF BROKER GENIUS, INC.'S REVISED WITNESS AND EXHIBIT was served upon all parties and counsel of record via electronic mail.

Date: June 13, 2017

/s/Veronica Muñoz  
Veronica Mullally Muñoz